

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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**BROOME CO-OPERATIVE INSURANCE  
COMPANY, INC., a/s/o MARK COOPER AND  
THOMAS HAYNES, d/b/a NEW YORK PIZZERIA,**

**Plaintiffs,**

**-VS-**

**SHELL ELECTRIC MANUFACTURING  
COMPANY, LTD., SMC MARKETING CORP., and  
THE HOME DEPOT, INC.,**

**Defendants.**

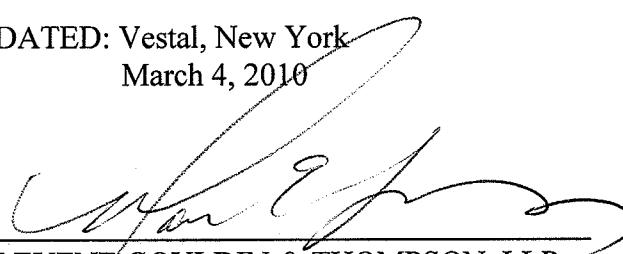
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**RULE 41 VOLUNTARY  
DISMISSAL STIPULATION**

**Case No.: 3:09-cv-00060  
TJM/DEP**

The matters in controversy in this action as against defendants, having been resolved, and all the parties to this action being adults or corporations, and there being no person not a party who has any interest in the subject matter of this action, it is hereby stipulated, consented and agreed by and between the attorneys of record for the respective parties herein, that the above-entitled action be and the same hereby is discontinued upon the merits with prejudice against defendants without costs to any party as against any other party.

DATED: Vestal, New York  
March 4, 2010



LEVENE GOULDIN & THOMPSON, LLP

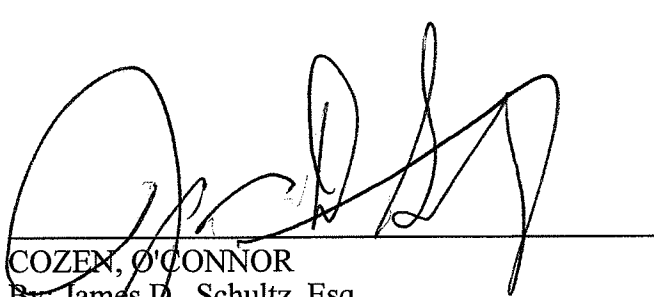
By: Maria E. Lisi-Murray, Esq.

Federal Bar Roll No.: 302577

Attorneys for Defendants, *Shell Electric  
manufacturing Company, Ltd. And  
The Home Depot, Inc.*

450 Plaza Drive

Vestal, New York 13850



COZEN, O'CONNOR

By: James D. Schultz, Esq.

Federal Bar Roll No.:

Attorney for Plaintiffs, *Broome Co-Operative  
Insurance Company, Inc. a/s/o Mark Cooper  
and Thomas Haynes, d/b/a New York Pizzeria*

1900 Market Street  
Philadelphia, Pennsylvania 19103

SO ORDERED

Dated: March , 2010

IT IS SO ORDERED:



David E. Peebles

U.S. Magistrate Judge

Dated: March 18, 2010

Syracuse, NY